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The Salt Lake Tribune

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WEATHER TODAY—Fair.

SALT LAKE CITY, UTAH, WEDNESDAY MORNING, JUNE 9, 1909.

16 PAGES—FIVE CENTS.

CAPITOL BUILDING QUESTION OSES

Vote Is Heavily Against the Proposition North and South.

OGDEN COMES IN WITH 24 FOR, 1196 AGAINST

Even in Salt Lake City Comparatively Few Go to the Polls.

Ward	Yes	No
First	650	78
Second	441	55
Third	419	46
Fourth	584	44
Fifth	438	14
Totals	2532	237

I regret very much—more than I can express—that the capital proposition has been defeated. It meant much to this city and the state, in my opinion, but if the people do not want a capital building we will simply have to submit. I feel, however, to express my thanks to the newspapers of Salt Lake City for the splendid support they have given to the project since its inception. Governor William Spry to The Tribune.

Utah will not have a capital building—at least, not until after the next session of the legislature. The proposition to vote a tax of one mill on the dollar for the purpose of erecting a capital building in this city, which was submitted to the people of the state, Tuesday, was ingloriously defeated. All of the figures are not now at hand, but there are sufficient to show that Utah does not want a capital building in Salt Lake at this time.

Salt Lake City may, of course, feel aggrieved because of the heavy vote cast against the proposition, both north and south, but, at the same time, when the lethargy of her own people is taken into consideration, she has but little cause for complaint. It was known from the inception of the capital contest that Salt Lake City would have to poll an exceedingly heavy affirmative vote to carry the proposition through, but, in the face of this fact, all the votes that the five wards of the city were able to muster only aggregated 2789. This is approximately only one-half of the vote cast at the bond election held by the city on July 29, 1908, and only a little more than one-third of the vote that could have been polled had the people come out to the polls.

At Outside Points.

So much for Salt Lake City. Of course, it was expected that Ogden would vote heavily against the proposition, but the startling figures presented from that place were not expected. Ogden's vote was 24 for and 1196 against. Comment is unnecessary. The only point in the state that exceeded the relative majority of Ogden against the capital was at Huntsville, also in Weber county, where the vote was 1 for the capital and 98 against it.

The only towns outside of Salt Lake county that gave a majority for the proposition were Park City and Leli. Park City gave a vote of 53 for and 20 against, and Leli gave 54 for and 29 against.

A few results given at random will show the feeling at other points. Here are some of the figures: Spanish Fork, 9 yes and 137 no; Mantle, 7 yes and 195 no; American Fork, 9 yes and 163 no; Morgan City, 3 yes and 43 no.

Sandy east 38 votes for the proposition and 17 against it, while Big Ben gave 44 for and 6 against.

New Law Passed Up.

The new law, passed by the last legislature, requiring the judges to make immediate returns of the vote to the county clerks, so that information of the results might be obtained easily and readily and given to the public at once, proved of little effect in this county, for the reason that the judges were not instructed as to the law.

After setting out that the judges shall make immediate return of the vote to the county clerk's office, the law says that they shall also make out and return, with the official vote, to the county clerk a copy of the official vote for public inspection. This was not done here, for the reason that the county clerk's office failed to properly instruct the judges in this matter. The law on this matter, found in the second paragraph of section 1 of chapter 7 of the session laws of 1909, reads as follows:

The judges must enclose in another envelope and direct to the county clerk, city recorder or town clerk, as the case may be, a copy of the total number of votes received by each candidate whose name is on the official ballot, the same to be placed on file in the office of the county clerk, city recorder or town clerk, as the case may be, for public inspection.

GUGGENHEIM CASE OF DIVORCE AILED

Wife of Smelter Trust Magnate, Who Sued for Divorce, Not Satisfied.

CLAIMS SHE IS STILL WIFE OF DEFENDANT

Has Had Varied and Checkered Matrimonial Career: Three Times Divorced.

CHICAGO, June 8.—Judge Honore today ordered William Guggenheim of the so-called smelter trust and Grace B. Guggenheim to show cause why their divorce, secured in this city in 1901, should not be set aside.

Edward F. Dunne, former mayor of Chicago, who issued the divorce decree, when a judge in the circuit court, represented the complainant, Grace G. Guggenheim, and appeared in court with five affidavits alleging that the divorce was secured by fraud.

Mr. Dunne declared that the divorce was fraudulent, as neither party was a legal resident of Illinois at the time, and as misrepresentations had been made to Mrs. Guggenheim to get her to sue for divorce. The complainant also charges that Mr. Guggenheim and her supposed attorney, Louis Werner of New York, conspired to practice a fraud on the court. She further states that she was given alimony of \$150,000, of which her attorney received \$12,500.

Not "Weakest Member."

Mrs. Guggenheim further avers that it had been represented to her that the defendant was "the weakest and least important member of the Guggenheim family," while, in fact, the complainant says she was able to get several brothers and the chief originator and business head of the great combination of mining and smelting interests. She also adds that his personal wealth is probably more than \$3,500,000.

After four months later they were married three times and has figured in an equal number of divorce suits. Both parties to the suit remarried after the 1901 decree. Mr. Guggenheim married Anne Lillian Steinberger. The complainant's first husband was William C. Herbert, a naval officer, who secured a divorce on the grounds of desertion. Mr. Guggenheim married the complainant on November 30, 1900. Less than four months later they were divorced. The complainant's next husband was Jules Roger Wald, who obtained an annulment of the contract in France on the ground that the Chicago decree was invalid.

Kept Marriage Secret.

The complainant's affidavit attested to before a New York notary March 23, covers sixteen pages. She says she met Guggenheim in June, 1900, and that he followed her about until she consented to marry him. She was forced to keep the marriage secret, she says, as Guggenheim's family was Jewish and she was a Christian, and that he was afraid his family would not give its consent. They lived at the Hotel Manhattan in New York until December 31, 1900, when Guggenheim, she says, told her he had decided to leave her, as his family was still unalterably opposed to their marriage.

The defendant then went to Europe. After many efforts to get Guggenheim to return to her, the complainant says, she finally consented to sue for a divorce upon the advice of Daniel Guggenheim, one of the defendants' brothers. It was suggested that she sue in South Dakota for four months and sue from there, but she refused. It was finally decided that the suit should be filed in Chicago.

After the decree was obtained, the complainant said, she returned to New York and soon afterward married Wald. When he obtained an annulment of their marriage she believed herself free to marry again. On consulting her attorney, she was advised that the Chicago divorce was void and that she is still Guggenheim's wife.

SUGAR TRUST ABANDONS THE COFFEE BUSINESS

TOLEDO, June 8.—Herman Sielek of Crossman & Sielek, coffee importers of New York, today bought the Woodson Sales company from the H. H. Havemeyer estate and other stockholders. The consideration is not divulged. Sielek will operate a large new plant in Toledo. The company was purchased twelve years ago from local stockholders by Havemeyer and others, in the interest of the coffee business with the American Sugar Trust, which had entered the sugar business in Toledo during its early years. The so-called sugar trust will abandon the coffee branch, Sielek is a stockholder in the American Refining company.

BUCKETSHOP KEEPERS SENTENCED TO JAIL

CINCINNATI, June 8.—Louis W. Foster, John M. Gorman, Walter Campbell, A. C. Baldwin, Edwin Hill and J. M. Scott were each sentenced to a term of six months in jail, and each to pay a fine of \$500 and costs, by Judge Thompson in the United States district court today for using the mails to further schemes to defraud in conducting a bucketshop.

Motion for a stay of execution was filed and the defendants will be at liberty under \$5000 bond. The defendants' company was known as the Odell Brokerage company.

FLOODS BRING BENEFIT AS WELL AS DAMAGE

HELENA, Mont., June 8.—Heavy rains continue to fall throughout Montana, according to reports received at the United States weather bureau in this city, with the result that practically all streams are flowing high. The rains are proving a great boon to the agriculturalists and stockmen. Insuring bumper crops and splendid range conditions. It is feared, however, that the precipitation, together with melting snow, may work great hardships on county roads and bridges and on the immediate future.

SHALL WE BUILD A CAPITOL BUILDING?



COLORADO-WYOMING FLOODS ARE SEVERE

Farmers, as Well as Railroads, Heavy Losers by Unusually High Water.

DENVER, Colo., June 8.—Flood water in the streams of Colorado and Wyoming has caused many thousands of dollars damage to crops and has delayed railroad traffic throughout both states.

It is reported from Greeley, Colo., that the Cache la Poudre river rose six inches today, flooding a large acreage planted in beets and vegetables. The water is flowing over the Colorado & Southern tracks between Fort Collins and Greeley, and all through trains over the Union Pacific between Omaha and Denver are being delayed. The main line, Farmers living on the lowlands near Greeley are leaving their homes and many are compelled to use boats as a means of transportation.

The Platte river is running bank full. From Laramie, Wyo., it is announced that both the Big and Little Laramie rivers are in flood. The farmers upon their banks have suffered damage. Many of the bridges on the Big Laramie are unsafe.

From Cheyenne comes the report that the Union Pacific railroad has suffered the most serious washouts in years between Smead and Bushnell, Neb.

The Arkansas river is reported to have risen a foot in the last 24 hours at Florence, Colo.

MILK RIVER PROJECT TO OPEN NEW EMPIRE

HELENA, Mont., June 8.—The first unit of the Milk river project, for which the people of that part of Montana have striven for many years, will be completed this year if the plans of the reclamation service are carried out.

The department at Washington has completed the plan for the immediate completion of the Dodson south canal and distribution system which will cover a large area of fine land and which may be extended to cover all the irrigable land lying between the Dodson dam and the Milk river.

Only a short time ago the directors anticipated payment on the company's certificates of deposit, leaving outstanding only surplus certificates held by depositors under the reorganization plan. The company's recovery has been one of the most rapid ever witnessed in the financial district.

KNICKERBOCKER TRUST COMPANY MAKES GOOD

NEW YORK, June 8.—Directors of the Knickerbocker Trust company, which was forced temporarily to suspend in the financial crisis of 1907, voted today to anticipate payment on August 1 on 25 per cent of their surplus certificates.

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LINEMEN ELECTROCUTED WORKING IN MID-AIR

ENID, Okla., June 8.—While working at the top of an electric pole on the public square here today, James Bloodworth and John Weekly, linemen, came in contact with a wire carrying 2400 volts of electricity and hung suspended in the air for eleven minutes. Finally the wires were cut and both men dropped to the ground. Bloodworth was badly injured and his body became entangled in the wire and Weekly attempted to rescue him.

MAN SHOT FROM AMBUSH; WOMAN UNDER ARREST

PITTSBURG, June 8.—While returning home from a picnic early today at Oakland park near Uniontown, Pa., in company with Mrs. Fanny Rogers, Charles Froman was shot from ambush and killed. Mrs. Rogers was arrested today on a charge of being an accessory to the murder. It is said the authorities are seeking a man with whom Froman quarreled a few hours before he was killed.

Montana Pioneer Dying

BUTTE, Mont., June 8.—D. W. Connelley, a pioneer of Montana and Iowa, a heavy property holder in Butte, and president of a national bank at Anthon, Ia., suffered a stroke of apoplexy in this city this morning and is dying.

Jap Nobility at Vassar

POUGHKEEPSIE, N. Y., June 8.—Admiral and Baroness Uru of Japan, attended the class day exercises today at Vassar college, where the baroness is a graduate.

FIGHT BLOODY DUEL AND THEN EMBRACE

SAN ANTONIO, Texas, June 8.—Locked in a room, where they had fought a bloody duel with knives, Joe Salinas and Carlos Saiza, prominent young Spaniards, were found clasped in each other's arms, lying on the floor, which was covered with blood, when the door was burst open by the police here today. Salinas had a cut over the heart, and may die. Both men are covered with stab wounds.

BURIED ALIVE, MAN FACES AWFUL DEATH

Miner Entombed at Four Hundred Level; Comrades Strive to Save Him.

MISSOULA, Mont., July 8.—A special to the Missoulian from Wallace, Idaho, says:

Entombed beneath tons of earth and rock on the 400-foot level of the Morning mine, Eric Lind faces a slow and terrible death unless a score of miners who have been working eagerly all day are able to reach and rescue him.

Lind was at work alone in a portion of the level when a cave-in occurred between him and the shaft. Caught in the blind end of the level, with no possible means of escape, the entombed miner must meet death from suffocation or starvation unless he can be rescued soon. As soon as the accident occurred, Mine Superintendent Cartwright set a force of miners to work digging away the mass of earth that lies between Lind and freedom, and for hours the men have labored without cessation endeavoring to reach their companion.

DECREASED PRODUCTION OF SALT IN UTAH

Special to The Tribune.

WASHINGTON, June 8.—In a general report on the salt production of the United States, the United States geological survey has this to say about salt production in Utah: "There was a decrease in both quantity and value of the salt produced in Utah in 1908. The output in 1907 was 34,557 barrels, or 45,278 short tons, valued at \$190,772 and in 1908, 24,218 barrels, or 30,975 tons, valued at \$189,833, a decrease of 102,579 barrels, or 14,400 tons, in quantity, and of \$2,946 in value. The salt is obtained from brine by solar evaporation, chiefly in the neighborhood of Great Salt Lake, Salt Lake county, and in smaller quantities in the Nephi City, Utah county. Other salt-producing localities are near Gunnison, Sanpete county, and in Garfield county, according to the shrinkage of the wool. He argued with Mr. Smoot as to the feasibility of such an arrangement of the woolen duties, the latter contending that it would be impossible to collect duties on a large basis, because American manufacturers want their wool in the grease, and hardly any two use the same methods of scouring."

"TAFT PARTY" EXHIBITS SUBSTANTIAL GRATITUDE

WASHINGTON, June 8.—The famous "Taft Philippine party" showed its appreciation of the Board of Education by presenting her tonight with a diamond-studded watch and chain.

President Taft made the presentation. He spoke of the kindly feeling which every member of the party had toward Miss Boardman because of what she had done to make the trip pleasant for everybody.

SALT LAKE STUDENTS WIN DEGREES IN EAST

Special to The Tribune.

NEW YORK, N. Y., June 8.—At the annual commencement today of the Maxwell Institute, Inc., at the Hotel Biltmore, William Robinson Kelly of Salt Lake was graduated with the degree of Bachelor of Science. He was a member of the District of Columbia, in the law school yesterday, William A. Hilton of Salt Lake was graduated, with the degree of Bachelor of Laws, as was Archie M. Cheney of Fairview, with the same degree.

Thanks to Archbold.

SYRACUSE, N. Y., June 8.—At the meeting of the board of trustees of Syracuse university today, Chancellor James R. Day announced that John D. Archbold had given \$300,000 to cancel the mortgage property and during the year he had given an additional \$75,000.

SMOOT NO MATCH FOR MR. DOLLIVER

Apostolic Senator Sails a Rough Sea, Clashing with Iowa Statesman.

WOOL SCHEDULE UNDER DISCUSSION WHOLE DAY

Debate Is Animated, but, as Yet, No Indications of Result Are Seen.

Special to The Tribune.

WASHINGTON, June 8.—Senator Smoot had another rough sea to sail today. Senator Dolliver of Iowa was analyzing and attacking the woolen schedule. He proposed to read an article from the pen of the editor of the Textile World Record whom Mr. Dolliver averred was the best authority on woolen goods in the United States.

"Mr. Dale failed in business as a woolen manufacturer and then went to editing a paper to tell other people how to run the business," interposed Senator Smoot.

"The senator from Utah confessed to the senate the other day that he was compelled to close up his woolen mill at Provo and he is here now giving the senate the benefit of his wisdom," said Mr. Dolliver, and then there was general laughter.

Then Mr. Smoot told how successful he had been with the Provo mill, how it did not close until three years after he quit. "Well," continued Mr. Dolliver, "the senator from Utah told us the other day how he was forced to close up the mill and come here and add to a great business career, the crowning achievement of statesmanship."

At another time Mr. Smoot was arguing whether certain duties on wool were dependent on shrinkage and remarked: "Wool does not shrink any more now than it did in 1867."

"The same may be said of the duties on wool," replied Mr. Dolliver. Again, when displayed a sample of so-called wool "waste," Mr. Smoot exclaimed: "That is not wool, it's combed hair, and it's used in making the coarsest goods, horse blankets and the like."

"Well, in this bill you class camel's hair and dog's hair and the hair of all animals with wool and require it to pay duty as such, don't you?" retorted Dolliver. Mr. Smoot admitted that such was the case.

WOOL SCHEDULE IS CENTER OF INTEREST

By Associated Press.

WASHINGTON, June 8.—Much good humor and many pleasanties were injected into the debate on the woolen schedule in the senate today.

The woolen schedule, the central figure, offered several amendments, and announced his intention of presenting others, appealing to the Republican members to vote with him, because he said these amendments would justify the attitude of the Republican party in advocating a protective tariff.

Mr. Smoot, assisted to a large extent by Mr. Warren, who is considered an expert on the woolen industry, defended the finance committee's recommendation with regard to the woolen schedule.

The various amendments proposed to the house bill by the finance committee are intended to restore the Dingley provisions of the woolen schedule, which, in some instances, provide higher duties than does the Payne bill as passed by the house.

One of the interesting features was a lecture on the woolen industry from beginning to end by Mr. Carter, who brought forth a large bag filled with samples of various grades of wool.

To the senators who gathered about him he explained each step in the manufacture of woolen goods, from the raising of the sheep to the making of the garment. He familiarized the members of the senate with the uses of shoddy, waste, soils, tops and various grades of wool.

Mr. Dolliver proposed an amendment that would assess the duties on woolen goods on an ad valorem basis, according to the shrinkage of the wool. He argued with Mr. Smoot as to the feasibility of such an arrangement of the woolen duties, the latter contending that it would be impossible to collect duties on a large basis, because American manufacturers want their wool in the grease, and hardly any two use the same methods of scouring.

Senators Are Amused.

Much amusement was afforded when Mr. Dolliver and Mr. Warren became involved in a colloquy, in which they stood within a few feet of each other and each endeavored to convince the other of the soundness of his opinion regarding the advisability of assessing the woolen duty on the value of the wool in the cloth. Mr. Dolliver said he would propose amendments that would carry out this proposition, but Mr. Warren, to illustrate the small proportion of the entire cost of the woolen garment, which is dutiable, asked Mr. Dolliver to examine the suit which he was wearing.

Mr. Dolliver said it appeared to him to be a good suit, whereupon Mr. Warren explained that the cloth in the suit cost only \$4, while the making and the trimmings cost \$42, showing that the duty on the \$4 worth of cloth was trifling compared with the entire cost of the suit.

Detail of Session.

Taking up the first amendment proposed by the committee on finance, Senator Dolliver opposed the increase over the house rate. This amendment proposed a return to the Dingley rates on top waste, roving waste, etc., or an increase of from 25 to 30 cents per pound. This increase was in accordance with the finance committee's settled purpose of re-establishing the Dingley rates throughout the woolen schedule.

In defense of the higher rates, Senator

CASE INVOLVING \$300,000 OVER

Famous Suit Against Sugar Trust Settled; Terms Are Kept Secret.

LOAN HAS INDEPENDENTS IN THE GRIP OF COMBINE

Control of Shares of Company Owing Debt Furnished the Opportunity.

NEW YORK, June 8.—The \$300,000,000 suit of the Pennsylvania Sugar Refining company against the American Sugar Refining company, the so-called trust, was settled out of court this evening. Terms of the settlement were not made public. Possibly a statement will be forthcoming tomorrow.

The complainant charged, in effect, that it had been driven out of business. Witnesses testified that Adolph Segal of Philadelphia, controlling power of the Pennsylvania Sugar Refining company, borrowed from Gustav A. Kissel a million and a quarter dollars, for which the complainant advanced 26,000 shares of the Pennsylvania Sugar Refining company, together with a voting trust certificate for the same, which was to run until the repayment of the loan.

Where Power Was Used.

With the power thus conferred, Kissel, it was alleged, installed himself and three of his clerks as directors of the independent sugar company, and, having control of the directors, he secured the adoption of a resolution providing that the complainant should complete refinery, which is said to be one of the most economical ever built, should not be opened or operated until further orders.

That resolution, the plaintiff contended, was drafted by John E. Parsons, acting as counsel for the sugar trust, for whom it showed Gustav A. Kissel, the lender, also as agent.

Kissel, Parsons and the three clerks of the former Pennsylvania Sugar Refining company were made defendants with the American Sugar Refining company on the conspiracy charge, but on motion of a lawyer appearing specially in behalf of the three clerks, the complaint against them was dismissed today.

The details will not be made public until after ratification by the Pennsylvania court that appointed George B. Farley, Jr., receiver of the Pennsylvania Sugar Refining company. If such ratification is not made the case will have to be retried.

STRIKE OF HATMAKERS AMICABLY ADJUSTED

DANBURY, Conn., June 8.—The strike that has closed twenty-two hat factories in this city, Bethel and New Milford for the last three months, was practically ended today, both sides making concessions. An agreement was reached between fifteen of the manufacturers and the national executive and advisory boards of the United Hatters.

Six of the factories not in the agreement began work today as open shops. The terms of settlement include an agreement on the part of the manufacturers to withdraw from the national Association of Hat Manufacturers, which can be done on ninety days' notice. According to the terms of the agreement the union employees are to return to work as individuals for ninety days, and after that the withdrawal of the manufacturers from the national association becomes effective matters in dispute will be arbitrated and the use of the union label will be resumed.

BOY PROVES TO BE HERO; WOMAN NARROWLY ESCAPES

SAN FRANCISCO, June 8.—The bursting of a valve in the ice plant of the Pacific mail steamship China as the vessel was nearing this port from the Orient yesterday flooded the first-class cabins with ammonia, and several passengers narrowly escaped suffocation. Among those suffering from the effects of the accident were Mrs. C. R. Rosenstock, wife of a former editor of the Manila Bulletin, and the youngest of her four children. In attempting to remove the child from the cabin the father, who was also suffering from the effects of the ammonia, was overcome by the fumes, and the child, also unconscious, were taken out by officers of the ship. A little boy of the Rosenstock family proved himself a hero by attempting to carry out his father and child, and saving the alarm when he found his strength insufficient.

FURTHER PROBING INTO F. AUG. HEINZE'S CASE

NEW YORK, June 8.—Financial relations between the United Copper company and the United States government during the financial stringency of 1907, and more particularly that part involving F. Augustus Heinze and directors of the copper company, were again under investigation today by the federal grand jury. Heinze is already under indictment.

Heinze was also the central figure in bankruptcy proceedings against the brokerage firm of M. Rotherberg & Co., whom David Lamar, claiming to represent Heinze, used as intermediaries in the purchase of \$1,000,000 of United Copper stocks. Heinze declared that he had never authorized Lamar to act as his agent.

The failure of the Rotherberg firm was caused, it is said, by the repudiation of orders placed by Lamar, then supposed to be acting for Heinze.

Findings Kept Secret

ALBANY, N. Y., June 8.—Horace White of New York, chairman of the committee appointed last December by Governor Hughes to inquire into the facts surrounding the business of exchanges in New York, today submitted a report of the committee to the governor. The members of the commission were unanimous in their report. Mr. White said the report until it agreed not to do so during the year is made public by Governor Hughes.